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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/912,764	07/25/2001	Raffie Eskandarian	60116-800US01	5610

7590 02/07/2005  
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EXAMINER

SHERKAT, AREZOO

ART UNIT PAPER NUMBER

2131

DATE MAILED: 02/07/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/912,764	ESKANDARIAN, RAFFIE	
	<b>Examiner</b>	<b>Art Unit</b>	
	Arezoo Sherkat	2131	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 25 July 2001.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 25 July 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>07/25/2001</u> . | 6) <input type="checkbox"/> Other: _____  |

### **DETAILED ACTION**

Claims 1-9 are presented for examination.

#### ***Drawings***

New corrected drawings in compliance with 37 CFR 1.121(d) are required in this application because drawings and labels are hand drawn/written, labels and explanations are not legible. Applicant is advised to employ the services of a competent patent draftsman outside the Office, as the U.S. Patent and Trademark Office no longer prepares new drawings. The corrected drawings are required in reply to the Office action to avoid abandonment of the application. The requirement for corrected drawings will not be held in abeyance.

#### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-2, 4-7, and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yu et al., (U.S. Patent No. 6,182,076 and Yu hereinafter), in view of Dymetman et al., (U.S. Patent No. 6,330,976 and Dymetman hereinafter).

Regarding to claim 1, Yu discloses data receiving device for accepting user indicia of authorization on a computer network having a user computer, wherein the user computer includes an input device, comprising:

an input device, wherein the input device is configured to control the pointer in the computer (Col. 5, lines 45-65);

a data processor, the data processor further comprising: a software applet wherein the software applet configures an input pad (i.e., the interface mechanism) (Col. 5, lines 55-67 and Col. 6, lines 1-44 and Col. 7, lines 20-35);

a fitting algorithm, wherein the fitting algorithm is configured to smooth user indicia input into the input pad (i.e., comparison algorithms)(Col. 11, lines 1-65);

a storage database, and a processing script, wherein the processing script receives the processed input user indicia and stores the user indicia in the storage database (Col. 11, lines 5-35).

Yu does not expressly disclose a display device and a pointer that defines locations on the display device wherein the input device includes an entry button and is configured to move the pointer in a continuous path on the display device, and an input pad comprising a data receiving region being defined by a matrix grid.

However, Dymetman discloses a display device and a pointer that defines locations on the display device wherein the input device includes an entry button and is configured to move the pointer in a continuous path on the display device (Col. 15, lines 5-67 and Col. 16, lines 1-50); and

an input pad comprising a data receiving region being defined by a matrix grid (Col. 14, lines 5-55).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time of applicant's invention to modify the teachings of Yu with the teachings of Dymetman by including a display device and a pointer that defines locations on the display device wherein the input device, configured to move the pointer in a continuous path on the display device, includes an entry button and an input pad comprising a data receiving region being defined by a matrix grid. The motivation for this combination is to provide a method to receive input signals from a detection device, decoding the machine-readable markings (i.e., hand-written signature) to obtain the action identifier (i.e., unique code)(Dymetman, Col. 4, lines 15-23).

Regarding claim 2, Yu discloses wherein the software applet is configured to receive input data from the input device (Col. 7, lines 20-35).

Regarding claim 4, Yu does not expressly disclose wherein the structure of the matrix grid is defined by pixel coordinates.

However, Dymetman discloses wherein the structure of the matrix grid is defined by pixel coordinates (Col. 14, lines 5-55).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time of applicant's invention to modify the teachings of Yu with the teachings of Dymetman by including wherein the structure of the matrix grid is defined by pixel

coordinates. The motivation for this combination is to include a location identifier that identifies a location of a zone within a page, and the identified action can relate to the zone (Dymetman, Col. 3, lines 57-67).

Regarding claim 5, Yu discloses a system for receiving and processing user indicia of authorization, on a computer network, comprising:

a user computer, wherein the user computer includes an input device (Col. 5, lines 45-65);

a data processor, the data processor further comprising:

a software applet wherein the software applet configures an input pad on the display device (i.e., the interface mechanism)(Col. 5, lines 55-67 and Col. 6, lines 1-44 and Col. 7, lines 20-35);

a fitting algorithm, wherein the fitting algorithm is configured to smooth user indicia input in the data receiving region by the user (i.e., comparison algorithms)(Col. 11, lines 1-65); and

a storage database, and a processing script, wherein the processing script receives the processed input user indicia and stores the indicia in the storage database (Col. 11, lines 5-35).

Yu does not expressly disclose a display device and a pointer that defines locations on the display device, wherein the input device includes an entry button and is configured to move the pointer in a continuous path on the display device, and an input

pad comprising a data receiving region, the data receiving region being defined by a matrix grid.

However, Dymetman discloses a display device and a pointer that defines locations on the display device, wherein the input device includes an entry button and is configured to move the pointer in a continuous path on the display device (Col. 15, lines 5-67 and Col. 16, lines 1-50); and

an input pad comprising a data receiving region, the data receiving region being defined by a matrix grid (Col. 14, lines 5-55).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time of applicant's invention to modify the teachings of Yu with the teachings of Dymetman by including a display device and a pointer that defines locations on the display device wherein the input device, configured to move the pointer in a continuous path on the display device, includes an entry button and an input pad comprising a data receiving region being defined by a matrix grid. The motivation for this combination is to provide a method to receive input signals from a detection device, decoding the machine-readable markings (i.e., hand-written signature) to obtain the action identifier (i.e., unique code)(Dymetman, Col. 4, lines 15-23).

Regarding claim 6, Yu discloses further comprising a data retrieval mechanism (i.e., selecting one or more records from among records associated with one or more enrolled individuals)(Col. 3, lines 18-34).

Regarding claim 7, Yu discloses wherein the software applet is configured to receive input data from the input device (Col. 7, lines 20-46).

Regarding claim 9, Yu discloses a method for receiving and processing user indicia of authorization on a computer network having a user computer, wherein the user computer includes an input device, comprising:

presenting a user an HTML page containing an applet, wherein the applet configures an input pad having a data receiving region on the display device (i.e., the interface mechanism)(Col. 5, lines 55-67 and Col. 6, lines 1-44 and Col. 7, lines 20-35);

applying a fitting algorithm to the user indicia (i.e., comparison algorithms)(Col. 11, lines 1-65); and

compressing the user indicia, converting the compressed user indicia to a digital bitmap image, assigning a unique code to the user indicia, and storing the user indicia in a database (Col. 10, lines 45-67 and Col. 11, lines 1-24).

Yu does not expressly disclose a display device and a pointer that defines locations on the display device, wherein the input device includes all entry button and is configured to move the pointer in a continuous path on the display device.

However, Dymetman discloses a display device and a pointer that defines locations on the display device, wherein the input device includes all entry button and is configured to move the pointer in a continuous path on the display device, comprising:

placing the pointer within the data receiving region via the input device, depressing the entry member on the input device, and moving the pointer within the



data receiving region via the input device to create user indicia of authorization within the data receiving region (Col. 14, lines 5-67 and Col. 15-16, lines 1-67).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time of applicant's invention to modify the teachings of Yu with the teachings of Dymetman by including a display device and a pointer that defines locations on the display device, wherein the input device includes all entry button and is configured to move the pointer in a continuous path on the display device. The motivation for this combination is to provide a method to receive input signals from a detection device, decoding the machine-readable markings (i.e., hand-written signature) to obtain the action identifier (i.e., unique code)(Dymetman, Col. 4, lines 15-23).

Claims 3 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yu et al., (U.S. Patent No. 6,182,076 and Yu hereinafter), in view of Dymetman et al., (U.S. Patent No. 6,330,976 and Dymetman hereinafter), in further view of Smithies et al., (U.S. Patent No. 6,064,751 and Smithies hereinafter).

Regarding claims 3 and 8, Yu or Dymetman does not expressly disclose wherein the input data is a handwritten signature.

However, Smithies discloses wherein the input data is a handwritten signature (Col. 10, lines 62-67 and Col. 11, lines 1-11).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time of applicant's invention to modify the teachings of Yu and Dymetman with the teachings of Smithies by including wherein the input data is a handwritten signature. The motivation for this combination is to enable the traditional manner of indicating agreement (a hand-written signature) to be carried forward into new technological environments, while avoiding the need for paper (Smithies, Col. 6, lines 1-5).

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Frink et al., (U.S. Patent No. 5,946,406),

Houvener, (U.S. Patent No. 5,657,389),

Beaston et al., (U.S. Patent No. 5,892,824),

Stoutenburg et al., (U.S. Patent No. 6,827,260), and

Avni et al., (U.S. Publication No. 2004/0095384).

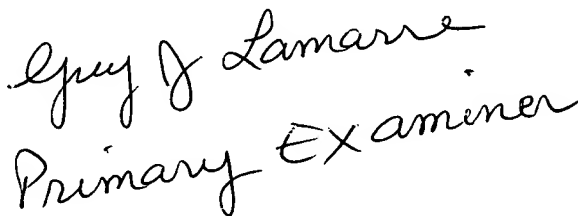
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Arezoo Sherkat whose telephone number is (571) 272-3796. The examiner can normally be reached on 8:00-4:30 Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz Sheikh can be reached on (571) 272-3795. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Arezoo Sherkat  
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Feb. 2, 2005



Primary Examiner